

September 9, 2005

Via Electronic Filing

Mr. Vernon A. Williams
Office of the Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

Re: New Haven National Rail Terminal Transportation Company, L.L.C.
Verified Notice of Exemption - Lease and Operation of 3.5 Miles of Track in the
Former Cedar Hill Yard, New Haven and North Haven Connecticut
Finance Docket No. FD-34690
Our File No. 6294.05244

Dear Mr. Williams:

This firm represents the New Haven National Rail Terminal Transportation Company, L.L.C. (NHNRT) of New Haven, Connecticut, a non carrier.

Pursuant to the Board's decision of August 8, 2005 in the above captioned matter, today is the day that the applicant was to report whether or not it wished to continue or to withdraw its filing. Discussions between the applicant and CSXT are ongoing and the matter continues to move forward.

As a result of those discussions, the applicant hereby elects to withdraw its application at this time without prejudice.

Please mark the docket accordingly.

Sincerely,
CAPEHART & SCATCHARD, P.A.

s/ JOHN K FIORILLA

John K. Fiorilla

cc: Paul Hitchcock, Esq. (*via fax and regular mail*)
Mr. Edward D. Greenberg (*via fax and regular mail*)
Mr. James Hill (*via fax and regular mail*)

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